

plate (64) located in said traveling pad, said intermediate plate (64) comprising guide bars (65) in engagement with the guide grooves (1) in said tubular body (51). 3

**6** ~~14.~~ A crawler track link member according to claim ~~11~~, wherein a deformation (15) in said base plate has an angled run-on portion (17) in a sliding direction relative to the abutment (6) over which said base plate is slidable. 1

**7** ~~15.~~ A crawler track link member according to claim ~~9~~, wherein said base plate (4) has a continuously extending uninterrupted end surface proximate said one abutment (6). 7

**8** ~~16.~~ A crawler track link member according to claim ~~15~~, wherein said base plate (74) possesses a double curvature forming a contact stop through shaped deformation zones (76, 77). 7

#### REMARKS

Careful consideration has been given by applicants to the Examiner's comments and rejection of the application as set forth in the outstanding Office Action, and favorable reconsideration and allowance of the application, as amended, is earnestly solicited.

With regard to the Examiner's objections to the drawings under 37 C.F.R. 1.84(p)(5), the appropriate reference to the detail 38 which appears in Figure 6 of the drawings, has been entered by amendment on page 4, line 8 of the specification, wherein the reference numeral 38 identifies one of the abutments, the other of which is identified by reference numeral 39.

Consequently, this amendment should obviate the Examiner's objections to the drawings, without entering any new matter.

Furthermore, in response to the Examiner's request for submission of a substitute specification in compliance with 37 C.F.R. 1.52(a) and (b), applicants respectfully request that the Examiner withdraw that particular requirement, inasmuch as it would place an onerous and unnecessary financial burden on the applicants to prepare a marked-up specification and a further retyped copy of the substitute specification in order to merely correct relatively minor grammatical matters. Accordingly, rather than preparing substitute specification, applicants have herewith presented amendments to the specification of a formal nature which are deemed to meet all of the Examiner's requirements concerning proper grammatical terminology and usage. In view thereof, the applicants respectfully request that the Examiner's requirement for preparation and filing of a substitute specification be withdrawn, inasmuch as the formal amendments to the specification presented herein are deemed to fully meet all of the necessary requirements concerning grammatical corrections, in a precise and clear manner.

Moreover, applicants note the Examiner's rejection of the claims under 35 U.S.C. 112, first paragraph, as detailed in paragraph 6 of the Office Action, and under 35 U.S.C. 112, second paragraph, as detailed in paragraph 8 of the Office Action.

Accordingly, in order to clearly present the claims in a format consistent with the U.S. terminology, so as to obviate

the rejection under paragraphs 1 and 2 of 35 U.S.C. 112, applicants have canceled the claims without prejudice, and in lieu thereof herewith present new claims 9 through 16 setting forth the structural integers in their proper interrelationship in conformance with the U.S. claim drafting practice.

Furthermore, applicants respectfully submit that the new claims are now deemed to clearly and patentably distinguish over the art, irrespective as whether the latter is considered singly or in combination.

In particular, applicants note the rejection of claims 1 through 8 under 35 U.S.C. 103(a) as being unpatentable over Korner in view of the Parker European Patent Application 0 044 137, further in view of Ley. In this connection, applicants note that both Korner and Ley pertain to earlier versions of crawler track link members, and represent publications which are commonly assigned to the present assignee.

In particular, applicants note that the claims clearly distinguish over the art, and note that the parent German application from which priority is claimed herein has already been allowed with claims essentially analogous to newly presented claims 9 through 16.

In particular, Ley '492 and Körner '380 both disclose the state-of-the-technology, namely traveling pads or cushions with a resilient base plate having incision stamped-out tongues, such as tongue (12) in Ley and tongue (19) in Korner.

Referring to Parker EPO 0 044 137, this publication discloses in Figures 5 - 9, and particularly Figure 9 of the drawings therein, base member (30) as being constituted of nylon with a separate attached or formed-on tongue (32), referring to page 4 last paragraph, and page 5, first paragraph of the EPO publication.

Apparently, the base member (30) which is constituted of nylon is intended to adhesively connect with a traveling pad (17), for instance, by the application of an adhesive layer or material.

It is well known, in this particular technology, that a construction of that type on the basis of a base member (30) which is constituted of a plastic material, such as nylon, does not make any practical sense and would be completely inapplicable to any purposeful use. Through the changing or fluctuations of the load acting on the crawler track link member during the travel of a normally heavy vehicle, there would be encountered a rapid fatiguing of the plastic base member (30), which within the shortest period of time will be ripped apart into shreds. That type of construction cannot be implemented in actual use, and consequently would have nothing in common with the technology of the type under consideration herein.

Thus, were the embodiment pursuant to Figure 5 - 9 to be applied from the disclosure of Parker, then the construction thereof is opposite to the direction as proposed by the present invention.

In Parker, the plastic material version proceeds from the standpoint in that the plastic material is elastic, wherein an additional abutment (32) is mounted on the base plate (30), and oppositely of the abutment (32) there are provided reinforcing ribs (33).

In the event that this teaching of Parker were to be applied to the base plates of Ley and Korner, then the base plate in the region of the rim area (10) would be stiff, in effect, inelastic due to the thickening of the material by means of the formed on abutment (32) and due to the oppositely located ribs (33).

It is doubtful whether any traveling pad of that type could even be fastened to crawler track link members. In the event that this should attempted to be attached by means of applying a force, then there is encountered the danger that in the guide region of the traveling pad, such high stresses will be encountered which would lead to the breaking of the guidance, or the tubular body of the overall structure. In essence, Parker discloses a development which would lead away from the invention rather than be indicative thereof.

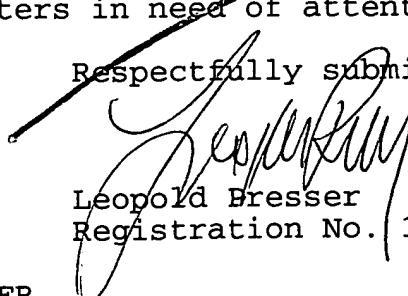
In contrast with the foregoing, the invention utilizes the important aspects of a uniformly thick base plate, also in the region of the latching zone (10); and utilization of the elasticity of the base plate during mounting of the traveling pad in the crawler track link member (2) or, respectively, the disassembly of the traveling pad therefrom, and without any

cutout or incision in the deformation or shaping of the base plate in the case of the embodiments pursuant to Figures 2, et seq.

The invention represents a surprisingly simple solution in the development of mounting the traveling pads on crawler track link members in that the base plate is free of any cut-in incisions, while a lightweight traveling cushion or pad is provided which is also extremely inexpensive in comparison with those in the present state-of-the-technology.

In summation, applicant respectfully submit that on the basis of the foregoing amendments and the clearly patentable distinctions over the cited prior art, irrespective as to whether the latter is considered singly or in combination, the early and favorable reconsideration thereof by the Examiner and issuance of the Notice of Allowance is earnestly solicited. However, in the event that the Examiner has any queries concerning the instantly submitted amendment, applicants' attorney respectfully requests that he be accorded the courtesy of possibly a telephone conference to discuss any matters in need of attention.

Respectfully submitted,

  
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